

REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 7, 2014
COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
4:00 P.M.

4:00 P.M. MEETING

1. **CALL TO ORDER**

Mayor Nabours called the meeting of the Flagstaff City Council held October 7, 2014, to order at 4:04 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this regular meeting, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

2. **ROLL CALL**

NOTE: One or more Councilmembers may be in attendance telephonically or by other technological means .

PRESENT

ABSENT

MAYOR NABOURS
VICE MAYOR EVANS
COUNCILMEMBER BAROTZ
COUNCILMEMBER BREWSTER
COUNCILMEMBER ORAVITS
COUNCILMEMBER OVERTON

COUNCILMEMBER WOODSON

Others present: City Manager Kevin Burke; City Attorney Michelle D'Andrea.

3. **PLEDGE OF ALLEGIANCE AND MISSION STATEMENT**

The City Council and audience recited the Pledge of Allegiance and Mayor Nabours read the Mission Statement of the City.

MISSION STATEMENT

The mission of the City of Flagstaff is to protect and enhance the quality of life of its citizens.

4. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- A. Consideration and Approval of Minutes** : City Council Special Work Session of May 12, 2014; the Combined Special Meeting/Work Session of September 9, 2014; the Regular Meeting of September 16, 2014; the Special Meeting (Executive Session) of September 30, 2014; and the Work Session of September 30, 2014.

Moved by Councilmember Scott Overton, **seconded by** Councilmember Celia Barotz to approve the minutes of the City Council Special Work Session of May 12, 2014; the Combined Special Meeting/Work Session of September 9, 2014; the Regular Meeting of September 16, 2014; the Special Meeting (Executive Session) of September 30, 2014; and the Work Session of September 30, 2014.

Vote: 6 - 0 Passed - Unanimously

5. PUBLIC PARTICIPATION

Public Participation enables the public to address the Council about an item that is not on the agenda (or is listed under Possible Future Agenda Items). Comments relating to items that are on the agenda will be taken at the time that the item is discussed. If you wish to address the Council at tonight's meeting, please complete a comment card and submit it to the recording clerk as soon as possible. Your name will be called when it is your turn to speak. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.

Katie Nelson and Rudy Preston addressed the Council, voicing concerns with the recent death at the jail and asked that a list of questions be answered.

Gaylord Staveley addressed the Council regarding a proposed new rule to amend the Clean Water Act, and he left a handout for each of the Council's viewing.

Moran Henn, representing Friends of Flagstaff's Future; Sat Best; and Adam Simoni addressed the Council voicing support to place the issue of Student Housing as it pertains to the Regional Plan on a future agenda.

6. PROCLAMATIONS AND RECOGNITIONS

- A. Viewing of Flagstaff Destination Video**

Convention and Visitors Bureau Director Heidi Hansen introduced the new video created to advertise Flagstaff as a destination, and the Council and audience then viewed it.

7. **APPOINTMENTS**

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that the City Council may vote to go into executive session, which will not be open to the public, for the purpose of discussing or considering employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee, or employee of any public body...., pursuant to A.R.S. §38-431.03(A)(1).

None

8. **LIQUOR LICENSE PUBLIC HEARINGS**

Mayor Nabours opened the Public Hearing for all of the liquor license applications.

Mr. Mancene, representing Mad I, came forward and answered questions. He explained that he had previously sold this license to the owners that took over the Mad I and were opening as JAX, but they have defaulted and he has assumed ownership of the license. He has been meeting with potential renters of the building, but he was not sure that this license would be used there or elsewhere. He said that he would be addressing the code violations prior to reopening the location.

Mr. Mancine explained that whoever goes into that location would then come before Council, either for this license or another.

With regard to the Tourist Home Urban Market license, Vice Mayor Evans thanked the applicants for what they were doing on the south side. Councilmember Barotz agreed.

Mayor Nabours closed the Public Hearing.

- A. **Consideration and Action on Liquor License Application:** Kevin Heinonen, "Tourist Home Urban Market", 52 S. San Francisco St., Series 07 (beer and wine bar), Person and Location Transfer.

Moved by Vice Mayor Coral Evans, **seconded by** Councilmember Celia Barotz to forward the application to the State with a recommendation for approval.

Vote: 6 - 0 Passed - Unanimously

- B. **Consideration and Action on Liquor License Application:** Richard Teel, "Red Lobster #0845", 2500 S. Beulah Blvd., Series 12 (restaurant), New License.

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Celia Barotz to forward the application to the State with a recommendation for approval.

Vote: 6 - 0 Passed - Unanimously

- C. **Consideration and Action on Liquor License Application:** James Mansene, "Mad I", 101 S. San Francisco., Series 06 (bar- all spirituous liquor), Person Transfer.

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to forward the application to the State with a recommendation for approval.

Vote: 6 - 0 Passed - Unanimously

9. **CONSENT ITEMS**

All matters under Consent Agenda are considered by the City Council to be routine and will be enacted by one motion approving the recommendations listed on the agenda. Unless otherwise indicated, expenditures approved by Council are budgeted items.

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Jeff Oravits to approve Consent Items 9-A and 9-B.

Vote: 6 - 0 Passed - Unanimously

- A. **Consideration and Approval of Contract:** Intergovernmental Agreement for Vegetation Monitoring Associated with the Flagstaff Watershed Protection Project - Vegetation Monitoring between Northern Arizona University and City of Flagstaff to inform hazardous fuels reduction treatments in Mexican Spotted Owl Protected Activity Centers ***(Approve Intergovernmental Agreement with NAU for FWPP monitoring)***

MOTION: Approve the Intergovernmental Agreement (IGA) for Vegetation Monitoring associated with the Flagstaff Watershed Protection Project (FWPP) with Northern Arizona University (University).

- B. **Consideration of Bid and Approval and Lease Agreement:** Flagstaff Airport Terminal First Floor Office. ***(Lease of a small office space on the first floor of the Airport terminal)***

MOTION: Approve the Lease Agreement with Route 66 Enterprises Inc. for an initial three (3) year term, with an annual rent of \$7,212 (\$601 per month) and the option for two (2) five (5) year extensions.

10. **ROUTINE ITEMS**

- A. **Consideration and Adoption of Ordinance No. 2014-24:** An ordinance of the Flagstaff City Council authorizing the City of Flagstaff to accept specific deeds of real property and easements and providing for the repeal of conflicting ordinances, severability, and authority for clerical corrections, and establishing an effective date. ***(Approval of an ordinance accepting deeds and easements of real property obtained by the City through grants and donations).***

Assistant to the City Manager for Real Estate David McIntire said that real property, whether in fee or in easement form, is often acquired during the development review process through dedication or donation. These acquisitions may be for drainage, utilities, the urban trails system, slopes, rights of way or other public purposes. The City Charter, in Article VII Section 5, requires the City to acquire real property by ordinance. The approval of this ordinance will formally accept the real property donated or dedicated to the city through the development review process or as necessary for an approved capital improvements project.

Councilmember Overton asked what someone would do if they knew of a parcel next to theirs that is owned by the City and they were interested in purchasing. Mr. McIntire said that there are state regulations that govern such process, but he is always happy to meet with property owners to discuss options, and he was welcome to forward their inquiries to his attention.

Mr. McIntire confirmed that the City does its due diligence on each parcel of property to ensure it is in the best interest of the City.

Moved by Councilmember Karla Brewster, **seconded by** Councilmember Jeff Oravits to read Ordinance No. 2014-24 by title only for the first time.

Vote: 6 - 0 Passed - Unanimously

AN ORDINANCE OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING THE CITY OF FLAGSTAFF TO ACCEPT SPECIFIC DEEDS OF REAL PROPERTY AND EASEMENTS AND PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY AND AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

B. Consideration and Approval of Street Closure(s): 2015 New Year's Eve Event

Consideration and Approval of Amplification Exception: 2015 New Year's Eve Event

Recreation Director Brian Grube reviewed the application for the 2015 New Year's Eve event downtown. He said that this year they were approached by Peak's Audio for an amplification exception to allow for a stage for a live band. They brought that to the committee and they supported the idea, and they have been talking with Weatherford Hotel.

Jason Moeller, representing Peak's Audio, said that their intention is to have live music before, between, and after each of the Pine Cone drops and they would focus on presenting local bands to perform.

Mayor Nabours asked how far away the bands could be heard. Mr. Moeller said that they would be amplifying it only loud enough for the immediate area. He said that the last thing they want is to have issues of people calling in and complaining. He said that he was confident it would not affect the neighborhood by Wheeler Park. He added that they were not looking to have two separate events, but have one downtown event with two locations that would complement one another.

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Karla Brewster to approve street closure on Aspen Avenue between San Francisco Street and Beaver Street; and approve the amplification exception to allow music to be played between the hours of 10:00 p.m. on December 31, 2014, and 12:15 a.m. on January 1, 2015.

Vote: 6 - 0 Passed - Unanimously

C. Request by Councilmember Brewster to place Affordable Housing on a future agenda

Councilmember Brewster said that she would like to have an item on a future agenda to discuss affordable housing, with respect to possibly forming a committee of the largest employers in the City along with stakeholders such as builders, developers, those with concerns of building new housing, etc. to see what can be done to provide single-family homes with small yards in a reasonable price range.

It was suggested that they first review the findings of the Affordable Housing Task Force to see what their recommendations were. After further discussion it was agreed that they would first review the Task Force recommendations and it could then come back for a Possible Future Agenda Item in the future.

D. Request by Councilmember Barotz to place Review of Regional Plan pertaining to Student Housing on a future agenda

Councilmember Barotz requested that this item be postponed until all councilmembers could be present to consider placing it on a future meeting agenda, since Councilmember Woodson was absent

E. INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND STAFF, REQUESTS FOR FUTURE AGENDA ITEMS

Councilmember Barotz reported that she and Mayor Nabours attended the graduation ceremony for six new members of the Flagstaff Fire Department last Friday. She said that it was a great ceremony and the six men were selected out of 400 applicants, who then went through the nine-week academy, five days a week.

Mayor Nabours added that those six new members were replacing six retiring members.

Councilmember Oravits said that they had previously talked about getting the speaker lights placed on the podium so they are easier for speakers to see, and he asked what the status was of that request.

11. RECESS-ADJOURNMENT**THERE IS NO 6:00 P.M. PORTION OF THIS MEETING SCHEDULED.**

The Regular Meeting of the Flagstaff City Council held October 7, 2014, adjourned at 5:15 p.m.

MAYOR

ATTEST:

CITY CLERK**CERTIFICATION**

STATE OF ARIZONA,)
) ss.
Coconino County.)

I, ELIZABETH A. BURKE, do hereby certify that I am the City Clerk of the City of Flagstaff, County of Coconino, State of Arizona, and that the above Minutes are a true and correct summary of the Meeting of the Council of the City of Flagstaff held on October 7, 2014. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 21st day of October, 2014.

CITY CLERK